

Application No. 09/931,370
Amendment dated January 20, 2004
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REMARKS/ARGUMENTS

Claims 1, 2, and 9 (all independent claims) have been amended. Therefore, claims 1-5, 9-12, and 15-18 are pending in this application.

The amendments all include the limitation that requires that any "predetermined distance" or "predetermined range of separation" within the mechanical coupling of the stator and rotor results in a magnetic re-engagement force of no less than 40% of the magnetic attractive force that exists between the stator and rotor when the contact faces are engaged. Based upon the structure seen in the prior art, namely Dawson '447 and Fedorovich '022, neither of these references contemplate urging the rotor toward the stator with a mechanical coupling so that the contact faces are re-engaged. The requirement of having a minimum magnetic re-engagement force is because if the rotor and stator become separated by too great a distance, the magnets will not be able to overcome this distance and achieve re-engagement. Therefore, the mechanical coupling between stator and rotor must be such that no less than a 40% strength of attraction remains. Support for these amendments resides in the original specification at page 9, lines 3-19. As the dependent claims 3-5, 10-12, and 15-18 serve to further distinguish the invention over the cited prior art, those claims should also be allowable.

The amendments presented in this response are identical to those proposed amendments to the claims faxed to the Office on December 12, 2003. A telephone discussion regarding the proposed amendments was had between the undersigned and Examiner Thomas Ho, wherein the Office indicated that the amended claims would appear to be allowable.

As mentioned to the Office in a prior call, there is a particular urgency to the mailing of a Notice of Allowance in this application, because pending litigation in China over the same

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technology is dependent upon the Applicants' assertions in that country that the invention should be patentable. Consequently, the Applicants respectfully request that the Office give these amendments due consideration as soon as possible so that a Notice of Allowance can be mailed immediately thereafter. If the Office believes that there remain any impediments to such a Notice of Allowance, the undersigned would welcome a telephone call to resolve such issues as quickly as possible.

<p style="text-align: center;">CERTIFICATE OF TRANSMISSION</p> <p>I hereby certify that this correspondence is being transmitted via facsimile on the date indicated below to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:</p> <p><u>January 20, 2004</u></p> <p><u>Warner J. Delaune, Jr.</u></p> <p>Warner J. Delaune, Jr.</p>
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Respectfully submitted:

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